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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,862	02/11/2002	Joseph E. Mooney		2796

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EXAMINER

CHAUDHRY, SAEED T

ART UNIT PAPER NUMBER

1746

DATE MAILED: 05/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/068,862

Applicant(s)

MOONEY, JOSEPH E.

Examiner

Saeed T Chaudhry

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 36-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 36-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

Applicant's preliminary amendments and remarks filed May 14, 2002 have been acknowledged by the examiner and entered. Claims 1-35 have been canceled and claim s 36-38 are pending in this application for consideration.

### Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Claims 36-37 rejected under 35 U.S.C. 103(a) as being unpatentable over**

**Fillipi et al in view of Admitted Prior Art.**

Fillipi et al (6,450,182) disclose a method and apparatus for cleaning oxygen lines of an aircraft. The apparatus for cleaning should preferably be transportable to the location of the aircraft. The present invention achieves the satisfactory cleaning of contaminants from pipes by first pulling a vacuum on the pipe to be cleaned. The pipe is then filled with a solvent, which is preferably a fluorocarbon solvent. After the pipe is filled with solvent, a cleaning solution is pumped at a high velocity through the pipe.

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The cleaning solution preferably comprises the fluorocarbon solvent, and a fluorosurfactant. The pipe is then rinsed with solvent. The apparatus of the present invention comprises hose 71 which is adapted to be attached to line 72 which is the main terminus of all of the oxygen lines. Pump 32 is turned on. Solvent is pumped from solvent tank 21 through line 37, through pump 32, through lines 38 and 28, through hose 71, through aircraft oxygen lines 72 and 5, 6, 7, 8, 9, 10, 11 and 12, through hoses 73, 74, 75, 76, 77, 78, 79 and 80, and through lines 39 and 35 to distillation unit 40. After aircraft oxygen lines 72, 5, 6, 7, 8, 9, 10, 11 and 12 are full of solvent, valves 3, 29, 31, 33, 34, 67, 68, 69 and 70 are closed, and valves 41 and 43 are opened. Cleaning solution is pumped by pump 32 from cleaning solution tank 24, through line 42, through pump 32, through lines 38 and 28, through hose 71, through aircraft oxygen lines 72 and 5, through hose 73, through lines 39 and 44, through desiccant 22, through filter 23 and into cleaning solution tank 24. Filter 23 should remove a substantial amount of particles. The cleaning solution is pumped by pump 32 through this continuous loop for a predetermined amount of time at a relatively high velocity. Subsequently, a hot dry air gas is pumped through the pipe to evaporate and remove any remaining solvent (see col. 1, lines 51-52, col. 3, lines 12-67 and col. 4, lines 1-46).

The reference discloses all the limitations as claimed herein except the utilization of silicated alkaline cleaning solution for cleaning oxygen lines.

The applicant has admitted on page 2, lines 10-16 that "The navy currently uses OCC (a.k.a. NOC) as parts cleaner because it is safe and stable".

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It would have been obvious at the time applicant invented the claimed process to utilize silicated alkaline solution in the process of Fillipi et al because silicated alkaline solution is safe and stable and one would expect that it would clean the oxygen lines as it clean parts as disclosed by the admitted prior art.

**Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fillie et al as applied to claim 36 above, and further in view of Bankert et al and Nygren.**

Fillipi et al were discussed supra. However, the references fail to utilize an air powered pump.

Bankert et al (5,699,817) and Nygren (5,937,875) disclose air operated pump for pumping liquid (see fig. 1 of Bankert et al and fig. 4 of Nygren).

It would have been obvious at the time applicant invented the claimed process to utilize air operated pump as disclosed by Bankert et al and Nygren in the process of Fillipi et al to utilize air operated pump instead of electric motor pump to reduce the electric shock.

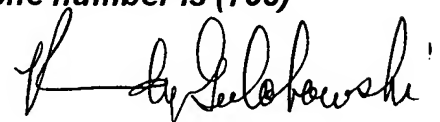
***Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saeed T. Chaudhry whose telephone number is (703) 308-3319. The examiner can normally be reached on Monday-Friday from 9:30 A.M. to 5:00 P.M.***

***If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Gulakowski Randy, can be reached on (703)-308-4333. The fax phone number for this Group is (703)-305-7719.***

***When filing a FAX in Gp 1700, please indicate in the Header (upper right) "Official" for papers that are to be entered into the file, and "Unofficial" for draft documents and other communication with the PTO that are for entry into the file of the application. This will expedite processing of your papers.***

***Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0651.***

**Saeed T. Chaudhry  
May 16, 2003**

  
RANDY GULAKOWSKI  
SUPERVISOR PATENT EXAMINER  
TECHNOLOGY CENTER 1700